

**Work Session
May 18, 2004**

The Montgomery County Board of Commissioners met in a work session on Tuesday, May 18, 2004 at 4:00 p.m. A full board was present. Chairman Maness called the meeting to order and the following was heard:

Discussion of the Proposed NCDOT Road Improvement Projects for FY 2004-2005

Mr. Kevin Hedrick and Mr. Harold Matthews presented the Road Improvement Projects.

Mr. Hedrick said the Division Eight employees were going to be having a Health Fair at the Ag Center. He handed out a paper that explained the Health Fair. He said we are going to be doing some cleaning up and mowing. Mr. Hedrick said we would like to extend a thank you to the Board of Commissioners and the staff for use of the facility.

Mr. Harold Matthews said he wanted to extend his appreciation to the administration staff. He said you may get a call from a citizen and I wanted to let you know what is going on. Mr. Matthews said he received a call from Secretary Tippin's office to disallow signs on the DOT right of way. He said with Mr. Hedrick listening he tried to talk with some common sense. He said at Troy BP there have been some signs hanging, one about the Partnership for Children and the other one was put up about a car show. He said he tried to get up with the owners and could not. He said I was concerned about the vision at that intersection, so I had my guys to take the signs down. The site operator called me and said I am going to have you run out of town. Mr. Matthews said he want have to do much because I have 40 years in. He said he called Troy Police Chief Phillips and he gave him permission. Mr. Matthews said I called Chief Phillips and he said he did not give him permission and Chief Phillips went and talked with him. Mr. Matthews said I just wanted to inform you of what was going on.

The following project was proposed:

MONTGOMERY COUNTY
SECONDARY IMPROVEMENT PROGRAM
HIGHWAY FUNDS
2004 - 2005

FUNDS:	2004-2005 Proposed Allocation (Approximate).....	\$754,753
	Unallocated Highway Funds	187,757
	Funds needed to complete work in progress..... <u>160,000</u>	
	TOTAL AVAILABLE	\$782,510

PROGRAM ELEMENTS:

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|----|---|-----------|
| I. | Paving of unpaved roads down the priority list as right of way and funds allow, approximately | \$463,750 |
| | Map #1 – Priority #14 Rural – SR 1548 (Beane Drive) – Grade, drain, base, pave and erosion control from SR 1549 to end – 0.50 miles | \$87,500 |
| | Map #2 – Priority #15 Rural – SR 1355 (Williamson Road) – Grade, drain, base, pave and erosion control from SR 1354 to end – 0.40 miles | \$70,000 |
| | Map #3 – Priority #16 Rural – SR 1149 (Lemons Road) – Grade, drain, base, pave and erosion control from SR 1150 to NC 24/27 – 1.00 miles..... | \$175,000 |
| | Map #4 – Priority #17 Rural – SR 1316 (Dave Suggs Road) – | |

	Grade, drain, base, pave and erosion control from end pvt. to end – 0.55 miles.....	\$96,250
	Map #5 – Priority #18 Rural – SR 1309 (Hurley Farm Road) – Grade, drain, base, pave and erosion control from end pvt. to county line – 0.20 miles.....	\$35,000
II.	Widen Paved Roads, approximately	\$168,000
	Map # 8 – Widen SR 1174 from 18’ to 22’ from NC 73 to NC 109 – 4.20 miles.....	\$168,000
III.	Maintenance reserve for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects	\$85,033
IV.	Retain approximately 8% of available funds for road additions, property owner participation paving, volunteer fire department and rescue squad driveways, old subdivision improvement program, overruns, county wide surveys and right of way acquisition	\$65,727

NOTE: PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT OF WAY AND ENVIRONMENTAL REVIEW.

Should right of way become available on any roads which have been skipped because right of way was previously not available (see Hold List Attachment), priority will be given to funding and scheduling the previously skipped roads.

MONTGOMERY COUNTY
SECONDARY IMPROVEMENT PROGRAM
TRUST FUNDS
2004 - 2005

FUNDS:	2004-2005 Proposed Allocation	\$619,202
	Unallocated Trust Funds	27,711
	Funds needed to complete work in progress	<u>220,000</u>
	TOTAL AVAILABLE	\$426,913

PROGRAM ELEMENTS:

I.	Paving of unpaved roads down the priority list as right of way and funds allow, approximately	\$288,750
	Map #6 – Priority #19 Rural – SR 1571 (Pleasant Hill Road) – Grade, drain, base, pave and erosion control from SR 1522 to county line – 0.65 miles	\$113,750
	Map #7 – Priority #20 Rural – SR 1566 (Lewis Road) – Grade, drain, base, pave and erosion control from SR 1565 to end – 1.00 miles.....	\$175,000
II.	Maintenance reserve for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects	\$73,679

III.	Retain approximately 15% of available funds for road additions, property owner participation paving, volunteer fire department and rescue squad driveways, old subdivision improvement program, overruns, county wide surveys and right of way acquisition	\$64,484
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NOTE: PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT OF WAY AND ENVIRONMENTAL REVIEW.

Should right of way become available on any roads which have been skipped because right of way was previously not available (*see Hold List Attachment*), priority will be given to funding and scheduling the previously skipped roads.

Commissioner Morris asked if the Department of Transportation was going to leave Low Water Bridge in or take it out? Mr. Hedrick said it may be on the hold list because we can't get all of the right of way easements we need.

Commissioner Corbett asked if the funding waits on things such as environmental studies? Mr. Hedrick said yes.

Mr. Hedrick also said that sometime we go over budget because in Montgomery County we hit a lot of rock.

He also said we have to go down the list of petitions according to the General Statutes.

Commissioner Corbett asked about the paving on Love Joy Road. Mr. Hedrick said I talked with a lady today and she said the man that was holding the project up, may have changed his mind. Chairman Maness said if you need me to help, I will.

Commissioner Bostic was concerned about the resurfacing of Windblow Road. He said where it stops and starts looks bad. Mr. Matthews said his predecessor was trying to stretch the dollars as far as he could. He said down the road it will be taken care of.

Commissioner Knight asked if dirt roads that school buses travel on are considered for paving? Mr. Hedrick said I would think we do, but I am not sure.

Commissioner Knight said it looks like the school would coordinate that with your department. He said some of the roads are not wide enough for the buses, he said that seems unsafe. He said I have noticed that some of the roads have been widened. He asked do you coordinate with the schools? Mr. Hedrick said not unless they call us. He explained that they are trying to widen roads from 16 feet to 20 feet. He said there may be some school buses that run on unpaved roads. He said on our list of roads there are not a lot of homes. He said we haven't done an update in four years. Mr. Hedrick said they try to blade the dirt roads at least four times a year. Commissioner Knight said it seems like there should be some priority. Mr. Hedrick said there is a formula DOT uses which includes school bus route, route carriers, etc. Mr. Knight asked which carries the most points? Mr. Hedrick said I have never seen the formula, but we look at traffic, businesses, farms, school bus routes, and homes. Commissioner Bostic said if people know you are doing a traffic count, they will run up and down the road to make the numbers go up.

There was a brief discussion about Memory Lane and Deerfield Circle. Mr. Hedrick said these roads may be added to next year's construction project.

Commissioner Knight asked how a person would go about adding a road to the list. Mr. Hedrick said you need to get a petition and if the road was established before 1975 it can be added to unpaved list; however if it was

added after then, the law requires the developer to pave the road. He said there is a fine line however when you talk about farms. We have to determine when it was subdivided. He explained the process of county to the board in Raleigh; then the Commissioners have to adopt a resolution. He said each road is different.

There was a discussion of the road at Boney Pointe.

Commissioner Bostic asked what it would take to change the law about roads in subdivisions? Mr. Hedrick said legislation. Mr. Bostic said there are a number of roads in Candor that have problems such as Acapulco Drive and roads in Belle Acres. He said some of these roads are in terrible shape. He said emergency vehicles can hardly get into these developments. He asked what can we do? Mr. Hedrick said unless the county hires a motor grater, there is not much because it is not a state road.

Commissioner Knight said I guess we need to talk with legislators. He said we are going to end up with a lot of bad roads. He said something has to be done so people thirty years from now will not have bad roads.

Chairman Maness asked doesn't our ordinance address this. County Manager Lee Matthews said both of them do. Mr. Knight said we need to do something because if emergency vehicles have to go down these roads, it is not right. Chairman Maness said a lot of times neighbors put their money together and get a road paved. Mr. Hedrick said our hands are tied until the law changes.

Commissioner Knight asked if we could look at our current ordinance?

Commissioner Bostic said we are going to drive up the price of lots so high that people will not be able to afford them.

Mr. Hedrick said this is not a win-win situation. Chairman Maness said there are a lot of sides to this issue.

Mr. Hedrick mentioned the North Carolina Moving Ahead Program.

Chairman Maness asked about the old bridge up 109 N, why they took it down. Mr. Harold Matthews said he wasn't sure why they did that. Mr. Hedrick said they have made an area for canoe access.

Commissioner Knight asked if they had made note of all of the traffic from Jordan Lumber (NC Hwy 109 S). He said it is dangerous. Do you consider the amount of times you have to stop for turning traffic? Mr. Hedrick said a lot of trucks are on that road. He said that road is beat to death and is narrow.

Commissioner Knight said trucks run fast on that road. Mr. Hedrick said the Highway Patrol will have to enforce that.

Discussion of Wastewater Contracts/Extension Policies

Mr. Tim Carpenter, an engineer from Hobbs, Upchurch, & Associates was present. He said that County Attorney Russ Hollers had drafted three different agreements regarding the new sewer lines. The three agreements are 1) The sewer extension policy; 2) the agreements between the county and Twin Harbor; and 3) the agreement between the county and Twin Harbor, Tillery Tradition and Allen Realty. Mr. Carpenter explained all three.

Mr. Bob Case from Twin Harbor asked about the new sewer rates. He said he is getting a lot of heat from the rates. He asked if they could get a break on the rates. Chairman Maness explained that the county is using Mt. Gilead Sewer Treatment plant and they gave us the rates.

Chairman Maness asked when Section H is expected to have sewer. Mr. Case said the contracts should be awarded in the next couple of weeks.

Mr. Carpenter said these are three different agreements that cover three different things.

Commissioner Knight said once the county assumes ownership there are things that can go wrong. Mr. Carpenter said there is a two-year warranty on the sewer line. Mr. Knight said I am talking about down the road. Mr. Carpenter said there are upgrades that will need to be done that is why we are rolling money into capital reserve and capital outlay to cover these things. He said I feel comfortable with my recommendation and beyond two years the county will assume responsibility for the line. Mr. Knight said I understand what you are saying, I don't know what is going to happen. I wouldn't want us to be caught with our britches down.

Chairman Maness said he feels we have done everything we can do. He said we will have problems. He said the bills are high, but that is the best we can do. He said Twin Harbor was getting into bad shape. He said I think we have covered ourselves as good as we can. Mr. Carpenter said you are all going to hear about the cost, but this is a sound and firm budget. He said the costs are pretty fixed.

Chairman Maness said he was comfortable with what we have.

Mr. Matthews said he didn't think any of the others involved in the contract will want to change.

There was a discussion about irrigation taps.

Commissioner Bostic said it goes back to his situation. He said his funeral home in Southern Pines has a meter for irrigation and a meter for the building.

Mr. Matthews said that is the next topic on the agenda.

Mr. Carpenter said Twin Harbor is set up for campers to move in and out of the campground and there could be some that would use an irrigation tap also for their water use and would not pay for sewer. Commissioner Knight said in a place like that he didn't think it was a good idea.

Discussion of Twin Harbor Sewer Taps

Mr. Matthews gave the history of those owners with double lots in Twin Harbor. He said in the past the board has agreed to continue charging those lots with two meters, two bills. He said that means there will be a sewer charge as well.

Commissioner Morris said if water goes through, why not charge. Chairman Maness said we are going to get into a mess if we change.

Commissioners Knight and Corbett said their understanding was that the meters would be taken out. Mr. Knight said I don't blame them for being upset about their bills. Chairman Maness said I want to do the right thing.

Chairman Maness said we voted not to charge sewer if they had a second tap? Mr. Matthews said yes, if they haven't been using that tap.

There was a discussion about irrigation taps and the discharge.

Mr. Matthews said the water department has had requests for irrigation taps. Mr. Carpenter said I do not recommend the board go with irrigation taps at Twin Harbor. Commissioner Morris said if they use, we should charge them. Mr. Case said if they don't use the meter, lock it; if they do use the meter, charge them.

Mr. Carpenter said there were some in section D that do not have a sewer tap yet also.

Mrs. Jo Haywood from the water department said there are 22 people with two lots that only use one tap. There are 24 that have two lots with water usage.

Chairman Maness said so if there is usage, you charge. Mr. Carpenter said yes.

There was a discussion about a connection fee.

Mr. Matthews said there are some at Twin Harbor that have never hooked up and we get requests to take out. He said I don't know how many. Mrs. Haywood said there is a lot.

Mr. Carpenter asked the board's permission to get with Mrs. Haywood and Mrs. Morton to do a financial impact study.

Commissioner Knight said when we start looking into this, we need to look at what they agreed to.

Chairman Maness said we have taken people at Twin Harbor from \$10 to \$38. Commissioner Corbett said it will be more than that if the new rates are adopted.

Mr. Carpenter gave the board a handout about the proposed rates.

County Manager's Report

Mr. Matthews gave the following report:

Medicaid/Medicare Resolution – Mr. Matthews presented a resolution for possible adoption by the board requesting relief of Medicaid/Medicare from the state. The board asked Mr. Matthews to bring this resolution back to the next meeting.

Grant Funds – Homeland Security Grant – Mr. Matthews said the amount of the grant for 2004 is \$61,649.00.

Audit Contract Approval Needed

Mr. Matthews said the auditors will be starting in the next several weeks and the audit contract needs to be approved. He requested that the audit contract be approved. The board agreed to carry this issue forward.

Slagle Fire and Badin Lake Fire Tax District

Mr. Matthews said he contacted Mr. Slagle and the work has already been done and the department has the truck back. Mr. Matthews said the repair bill is \$9,326. Commissioners Bostic and Corbett asked if we agreed on that. Mr. Matthews said no. Commissioner Morris asked Mr. Matthews if he asked Mr. Slagle if we could pay it July 1. Mr. Matthews said I did and he said he is like everyone else, he needs his money. Commissioner Morris said they can't get this type of work done, with the cost so high, without coming to us. Commissioner Bostic said don't pay it. Commissioner Morris asked if any department can do that? Chairman Maness said they did. Mr. Matthews said we did not authorize it, me or the board. Chairman Maness said he suggests the county manager contact them, sit down and negotiate this with them and the county only pay part of it. Commissioner Corbett said that is no different than Mr. Matthews going out here and spending a lot of money on his Ford without us authorizing it. Commissioner Knight said sometimes people try to take advantage. The board agreed to allow Mr. Matthews to set up the meeting.

Board of Health – No Smoking Policy

Mr. Matthews said the Board of Health has passed a resolution regarding an outdoor smoking rule that states there will be no smoking within 40 feet of any entrance into the Health Department. He said a public hearing is scheduled for June 7.

Commissioner Morris said we aren't going to stop them from smoking. Commissioner Corbett asked about the school smoking policy. Mrs. Morris said there are four entrances to the Health Department.

Chairman Maness asked if Bill Hamilton could look into a suitable area for the smokers. Mr. Matthews said we have looked at some places.

Commissioner Morris asked how the Board of Health has the authority to do this. Mr. Matthews said they do have the authority. Mrs. Morris suggested blocking off the front door and making it an entrance to Social Services.

Commissioner Knight said we talked about this at length. He said we need to move into the 21st Century. He said we have schools that have a 100% no smoking policy 24/7 on the grounds. He said we have cheerleaders that will not cheer because of the smoke. There are campuses that have adopted a 100% Tobacco Free Campus. He said I smoke, but I hate to have to walk through smoke.

Commissioner Morris said we can't stop them. Mr. Knight said I know. He said if we did a study, we would probably see that we are losing time. Mrs. Morris said they are on their break.

Commissioner Knight said I made the motion to approve this resolution at the Board of Health meeting.

Commissioner Corbett said it would not do any good because there is a general statutes that backs them up.

Chairman Maness said there are procedures that have to be followed. Commissioner Knight and Mr. Matthews said there will be a public hearing about this on June 7, 2004.

Items to Carry Forward to the Regular Session

- The Department of Transportation Road Improvement Projects for FY 2004-2005
- Audit Contract for this Fiscal Year
- Board of Equalization and Review – Terry Braswell Case
- Dry Creek Resolution for the Sign

There being no further business the meeting was adjourned.

William D. Maness, Chairman

Laura B. Morton, Clerk to the Board